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PATENT

TECH CENTER 1600/2800 Docket No. 1758-4036US2  
Express Mail Label No. EL704521726US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL PURSUANT TO 37 C.F.R. § 1.53(d)**

Named Inventors: C. MINETTI, et al.

Prior Application: 09/120,044  
Examiner: S. Devi  
Group Art Unit: 1645

COMMISSIONER FOR PATENTS  
Box CPA  
Washington, D.C. 20231

Sir:

1. This is a request for a ☒ Continuation application ☐ Divisional application under 37 C.F.R. § 1.53(d) of prior application serial no. 09/120,044, filed on July 21, 1998 and entitled MODIFIED IMMUNOGENIC PNEUMOLYSIN COMPOSITIONS AS VACCINES
2. The following are enclosed herewith:

	<b>12/27/2000 AMUNDAF1 00000012 09120044</b>	
<input checked="" type="checkbox"/> Preliminary Amendment	<b>01 FC:131</b>	<b>710.00 OP</b>
	<b>02 FC:102</b>	<b>640.00 OP</b>
	<b>03 FC:103</b>	<b>72.00 OP</b>

☐ Information Disclosure Statement

☐ Copies of References Cited in Information Disclosure Statement
3. ☒ Please enter the Amendment/Request For Reconsideration After Final Rejection filed October 16, 2000 in the above-identified application.
4. A Petition for Extension of Time and Fee therefor has been or is being filed in the parent application Serial No. 09/120,044 to extend the time for action in the parent application until January 19, 2001.
5. Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending and has been granted a filing date, so as to make this application co-pending with said parent application. Please use all the contents of the parent application file wrapper, including the drawings, as the basic papers for the new application.
6. ☒ The fees to be charged are to be based on the number of claims:
  - a. ☒ remaining after entering enclosed Amendment.
  - b. ☐ entered in the parent application as of the date of its abandonment.
  - c. ☐ remaining after entering the Amendment After Final Rejection filed \_\_\_\_\_ in the above-identified parent application.

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## CALCULATION OF APPLICATION

	Number		Number Extra	Rate for Non-Small Entity	Basic Fee TECH CENTER 1600/2900
Total* Claims	24	-20=	4	x \$18.00	\$ 72.00
Independent Claims	11	-3=	8	x \$80.00	\$640.00
Multiple Dependent Claims					
			[ ] yes Additional Fee =	\$270.00	\$0
			[X] no Additional Fee =	none	

Filing Fee Calculation \$1,422.00

- [ ] A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(f) (50% of total) paid herewith \$ \_\_\_\_\_.
7. [X] A check in the amount of \$1,422.00 in payment of the CPA application filing fees is attached.
8. [ ] Charge fee to Deposit Account No. 13-4500. Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
9. [X] The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, including all extension of time fees pursuant to 37 C.F.R. § 1.17 for maintaining copendency with the parent application, or credit any overpayment to Deposit Account No. 13-4500. Order No. 1758-4036US2. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
10. [X] Priority of application Serial No. 60/053,306 filed on July 21, 1997 in the USA is claimed under 35 U.S.C. § 119.
11. [X] The parent application is assigned of record to NORTH AMERICAN VACCINE, INC.. Recorded on February 7, 2000, Reel 010615, Frame 0674.
12. [ ] An assignment of the invention to \_\_\_\_\_ is attached along with the Assignment Recordation Form cover sheet.
13. [ ] A check in the amount of \$40.00 for recording the Assignment is attached.

\* Includes all independent and single dependent claims and all claims referred to in multiple dependent claims. See 37 C.F.R. § 1.75(c).

14. [X] The Power of Attorney was filed in the parent application.
15. [ ] A new Power of Attorney has been executed and is attached.

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Respectfully submitted,

MORGAN & FINNEGAN, L.L.P. TECH CENTER 1600/2900

Dated: December 21, 2000

By: Darryl H Steensma  
Darryl H. Steensma  
Registration No. 43,155

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